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PUBLIC HEALTH REPORTS

VOL. 30

MAY 14, 1915

No. 20

COMPENSATION FOR OCCUPATIONAL DISEASES.

MASSACHUSETTS WORKMEN'S COMPENSATION LAW CONSTRUED TO APPLY TO ACUTE OR CHRONIC OCCUPATIONAL DISEASES AS WELL AS TO INDUSTRIAL ACCIDENTS.

On page 1455 of this issue of the Public Health Reports appears an opinion written by Chief Justice Rugg, of the Supreme Judicial Court of Massachusetts, construing the workmen's compensation law of that State. This act provides for compensation for "personal injuries arising out of and in the course of" the workman's employment.

A cook employed on a lighter was suffering from valvular disease of the heart. The disease was aggravated by his exertions in saving his personal effects when the lighter sank, and he died soon after. The industrial-accident board found that the death of the employee arose out of and in the course of his employment, and the court held that this finding was warranted by the evidence.

In an opinion which was published in the Public Health Reports, June 12, 1914 (p. 1583), the same court decided that blindness resulting from an acute attack of optic neuritis induced by poisonous gases with which the workman came in contact in his work was a "personal injury" within the meaning of the law and that the afflicted workman was entitled to compensation.

Later the court held that lead poisoning was included within the terms of the act. (*Johnson v. London Guarantee & Accident Co.*, Public Health Reports, July 3, 1914, p. 1781.) In the opinion Justice Crosby said: "It is clear that 'personal injury' under our act includes any injury or disease which arises out of and in the course of the employment which causes incapacity for work and thereby impairs the ability of the employee for earning wages."

The decisions above referred to construe the Massachusetts workmen's compensation law as providing for compensation for workmen acquiring acute or chronic disease as a result of occupation, or in the course of employment as well as for workmen injured by industrial accidents.